

08-17-00

GAM-16.45

AUG 21 2000

TECH CENTER 1600/2800

**CONTINUED PROSECUTION APPLICATION (CPA)
UNDER 37 C.F.R. § 1.53(d)
REQUEST TRANSMITTAL**

#24 8/25/00 T. Gray

Address to: Commissioner for Patents Box CPA Washington, D.C. 20231	Attorney Docket No.:	875.001US2
	First Named Inventor:	Michael A. Apicella
	Express Mail No.:	EL709305825US
	Total Pages (if by fax):	

This is a request for filing a continuation application under 37 CFR § 1.53(d) of prior application Serial No. 09/077,572, filed on October 13, 1998, entitled NON-TOXIC MUTANTS OF PATHOGENIC GRAM-NEGATIVE BACTERIA.

The above-identified prior application in which no abandonment of, or termination of, proceedings has occurred, is hereby expressly abandoned as of the filing date of this request for a CPA. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (37 CFR 1.53(b) must be used for continuation-in-part applications or for applications where the prior application is not to be abandoned.)

1. ☒ Enter the amendment previously filed on June 30, 2000 under 37 CFR 1.116, but unentered, in the prior application.
2. ☐ A Preliminary Amendment (pages) is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney is enclosed.
5. ☐ Information Disclosure Statement is enclosed.
 - a. ☐ Form(s) 1449
 - b. ☐ Copies of IDS Citations

08/18/2000 CV0111 00000046 09077572 690.00 OP
01 FC:131

The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 2 on the previous page:

	No. Filed	No. Extra	Rate	Fee
TOTAL CLAIMS	8 - 20 =	0	x 18 =	\$0.00
INDEPENDENT CLAIMS	2 - 3 =	0	x 78 =	\$0.00
[] MULTIPLE DEPENDENT CLAIMS PRESENTED				\$0.00
BASIC FEE				\$690.00
TOTAL				\$690.00

6. ☐ Small Entity Status:

a. ☐ A small entity statement is enclosed.

b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

c. ☐ Is no longer claimed.


7. ☒ A check in the amount of \$690.00 is attached to pay the filing fee.

8. ☒ The Commissioner is hereby authorized to credit overpayments or charge any fees set forth in 37 CFR 1.16 through 1.18 to Deposit Account No. 19-0743.

9. ☐ A petition for extension of time in the prior application is enclosed along with a check in the amount of \$0.00 to pay the extension fee.

10. ☐ Other : _____

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P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By: 
Atty: Ann S. Viksnins
Reg. No. 37,748

Customer Number **21186**

"Express Mail" mailing label number: EL709305825US

Date of Deposit: August 16, 2000

This paper or fee is being deposited on the date indicated above with the United States Postal Service pursuant to 37 CFR 1.10, and is addressed to Box CPA, Commissioner for Patents, Washington, D. C. 20231.